

Case No. **8627/219 (PA-5392)****DECLARATION FOR PATENT APPLICATION**

As the named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **LARGE DIAMETER DELIVERY CATHETER/SHEATH**, the specification of which:

- ☐ is attached hereto.
- ☒ was filed on **April 13, 2004** as Application Serial No. **10/823,176**.
- ☐ and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)Priority Claimed

N/A

☐ Yes ☐ No

(Number)

(Country)

(Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

**60/462,632****April 14, 2003**

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

N/A

None

(Application Serial No.)

(Filing Date)

(Status-patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Signature

Full name of first joint inventor

Residence

Citizenship

Post Office Address

**JAY A. DITTMAN****Bloomington, Indiana****US****421 W. 6<sup>th</sup> Street, Apt. B, Bloomington, IN 47404**

Date:

**07/01/04**

Inventor's Signature

Full name of second joint inventor

Residence

Citizenship

Post Office Address

**DAVID A. DREWES, JR.****Bloomington, Indiana****US****5021 Autumn Circle, Bloomington, IN 47404**

Date:

**6/29/04**

Inventor(s):

JAY A. DITTMAN AND DAVID A. DREWES, JR.

Title:

LARGE DIAMETER DELIVERY CATHETER/SHEATH**POWER OF ATTORNEY**

Prosecution of the above-identified patent application:



is attached hereto

was filed on April 13, 2004 as application Serial No. 10/823,176

I hereby appoint the following attorneys to prosecute said patent application and to transact all business in the Patent and Trademark Office connected therewith:

Raymond W. Green, Reg. No. 24,587	James A. Collins, Reg. No. 43,557	Richard J. Godlewski, Reg. No. 30,056
Jerold A. Jacover, Reg. No. 26,284	Vineet Gauri, Reg., No., 44,701	James B. Hunt, Reg. No. 40,276
A. James Richardson, Reg. No. 26,983	Richard E. Stanley, Reg. No. 45,662	Charles W. Agnew, Reg. No. 44,497
James P. Naughton, Reg. No. 30,665	L.G. Almeda, Reg. No. 46,151	
Steven Oberholtzer, Reg. No. 30,670	Timothy K. Klintworth, Reg. No. 46,162	
Rodney A. Daniel, Reg. No. 31,605	Peter Breen, Reg. No. 47,441	
Jeffery M. Duncan, Reg. No. 31,609	Carmen Matos Michael, Reg. No. 47,493	
Thomas J. Filarski, Reg. No., 31,612	Christopher A. Harkins, Reg. No. 48,775	
Lawrence A. Steward, Reg. No. 32,309	Jonathan M. Blanchard, Reg. No. 48,927	
G. Peter Nichols, Reg. No. 34,401	Jonathan P. Taylor, Reg. No. 48,338	
Michael E. Milz, Reg. No. 34,880	John Card, Reg. No. 48,423	
Janet A. Pioli, Reg. No. 35,323	Stephanie J. Felicetty, Reg. No. 50,814	
Margaret Dobrowitsky, Reg. No. 36,501	Samuel Shehadeh, Reg. No. 52,215	
Dominic P. Zanfardino, Reg. No. 36,068	Peter Brunovskis, Reg. No. 52,441	
Shannon K. Mrksich, Reg. No. 36,675	Alejandro Fernandez, Reg. No. 52,886	
Meredith Martin Addy, Reg. No. 37,883		
David W. Okey, Reg. No. 42,959		

of the firm of  
**BRINKS HOFER GILSON & LIONE**  
 One Indiana Square, Suite 1600  
 Indianapolis, IN 46204  
 (317) 636-0886

of  
**COOK INCORPORATED**  
 P.O. Box 2269  
 Bloomington, IN 47402-2269

Please address all correspondence and telephone calls to Lawrence A. Steward in care of:

Brinks Hofer Gilson & Lione  
 One Indiana Square, Suite 1600  
 Indianapolis, IN 46204  
 (317)636-0886

The undersigned hereby authorizes the U.S. attorneys named herein to accept and follow instructions from \_\_\_\_\_ as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys named herein will be so notified by the undersigned.

Cook Incorporated, a corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

☒ An assignment from the inventor(s) of the patent application identified above, a copy of which is attached hereto.  
 OR

☐ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, frame \_\_\_\_\_.  
 OR

☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

- From \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, frame \_\_\_\_\_, or a copy thereof is attached.
- From \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, frame \_\_\_\_\_, or a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

The undersigned has reviewed the assignment or all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature

Thomas A. Osborne Date: July-1 2004

Name:

Sr. VP, IP Growth + Development

Title:

Thomas A. Osborne

Rev. Dec.-99

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**ASSIGNMENT**

WHEREAS, Jay A. Dittman and David A. Drewes, Jr., hereinafter referred to as "Assignors", have made a new and useful invention described in the United States patent application entitled LARGE DIAMETER DELIVERY CATHETER/SHEATH, filed on April 13, 2004 and assigned Serial No. 10/823,176.

WHEREAS, Cook Incorporated, hereinafter referred to as "Assignee", a corporation of Indiana, having a principal place of business at 750 North Daniels Way, Bloomington, Indiana 47404, desires to acquire the entire right, title, and interest in and to the inventions and the patent application identified above, and all patents which may be obtained for said inventions, as set forth below;

NOW, THEREFORE, in exchange for valuable and legally sufficient consideration, the receipt of which by the Assignors from the Assignee is hereby acknowledged, the Assignors have sold, assigned and transferred, and by these presents do sell, assign and transfer unto Assignee, the entire right, title, and interest for the United States, its territories and possessions, in and to the inventions and the patent application identified above, and any patents that may issue for said inventions in the United States; together with the entire right, title and interest in and to said inventions and all patent applications and patents therefor in all countries foreign to the United States, including the full right to claim for any such application all benefits and priority rights under any applicable convention; together with the entire right, title and interest in and to all continuations, continuations-in-part, divisions, renewals extensions or reissues of any of the patent applications and patents defined above; to have and to hold for the sole and exclusive use and benefit of the Assignee, its successors and assigns, to the full end of the term or terms for all such patents.

The Assignors hereby covenant and agree, for both the Assignors and the Assignors' legal representatives, that the Assignors will assist the Assignee in the prosecution of the patent application identified above; in the making and prosecution of any other patent applications that the Assignee may elect to make covering the inventions identified above; in vesting in the Assignee like exclusive title in and to all such other patent applications and patents; and in the prosecution of any interference which may arise involving said inventions, or any such patent application or patent; and

that the Assignors will execute and deliver to the Assignee any and all additional papers which may be requested by the Assignee to carry out the terms of this Assignment.

The Assignors hereby consent that a copy of this Assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of the Assignees to apply for patent or other form of protection for said inventions and to claim the right of priority provided by any and all treaties, conventions or agreements.

The Commissioner of Patents and Trademarks is hereby authorized and requested to issue patents to the Assignee in accordance with the terms of this Assignment.

IN TESTIMONY WHEREOF, the Assignors have executed this agreement.

DATED: 07/01/04

  
JAY A. DITTMAN

DATED: JUN 29, 2004

  
DAVID A. DREWES, JR.

STATE OF INDIANA )  
 ) SS:  
COUNTY OF Monroe )

I, Christine Humphrey, a Notary Public in and for the County and State aforesaid, do hereby certify that JAY A. DITTMAN, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this date in person and acknowledged that (s)he signed, sealed and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this 1 day of July, 2004.

Christine Humphrey  
Notary Public

Christine Humphrey  
Printed

(SEAL)

My Commission Expires:  
July 2, 2009

My County of Residence  
Monroe

STATE OF INDIANA )  
 ) SS:  
COUNTY OF Monroe )

I, Christine Humphrey, a Notary Public in and for the County and State aforesaid, do hereby certify that DAVID A. DREWES, JR., personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this date in person and acknowledged that (s)he signed, sealed and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this 29 day of June, 2004.

Christine Humphrey  
Notary Public

Christine Humphrey  
Printed

(SEAL)

My Commission Expires:  
July 2, 2009

My County of Residence  
Monroe